

**UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF TEXAS  
BEAUMONT DIVISION**

IN RE:

Kenneth Dwayne Daniels

Cindy Delene Daniels

SSN(s): xxx-xx-3857, xxx-xx-7408

56 C.R. 3664

Splendora, TX 77372

CASE NO: **10-10698**

Chapter 13

Debtor

You should read this Plan carefully and discuss it with your attorney. Confirmation of this Plan by the Bankruptcy Court may modify your rights by providing for payment of less than the full amount of your claim, by setting the value of the collateral securing your claim, and/or by setting the interest rate on your claim.

**CHAPTER 13 PLAN**

Debtor or Debtors (hereinafter called "Debtor") proposes this Chapter 13 Plan:

1. **Submission of Income.** Debtor submits to the supervision and control of the Chapter 13 Trustee ("Trustee") all or such portion of future earnings or other future income of Debtor as is necessary for the execution of this Plan.
2. **Plan Payments and Length of Plan.** Debtor will pay the sum of see below per month to Trustee by ☒ Payroll Deduction(s) or by ☐ Direct Payment(s) for the period of 60 months, unless all allowed claims in every class, other than long-term claims, are paid in full in a shorter period of time. The term of this Plan shall not exceed sixty (60) months. See 11 U.S.C. §§ 1325(b)(1)(B) and 1325(b)(4). Each pre-confirmation plan payment shall be reduced by any pre-confirmation adequate protection payment(s) made pursuant to Plan paragraph 6(A)(i) and § 1326(a)(1)(C).

The following alternative provision will apply if selected:

☒ Variable Plan Payments

Beginning Month	Ending Month	Amount of Monthly Payment	Total
1 (11/27/2010)	20 (06/27/2012)	\$101.00	\$2,020.00
21 (07/27/2012)	60 (10/27/2015)	\$630.00	\$25,200.00
Grand Total:			\$27,220.00

Reason for Variable Plan Payments:

3. **Payment of Claims.** The amounts listed for claims in this Plan are based upon Debtor's best estimate and belief. Allowed claims shall be paid to the holders thereof in accordance with the terms thereof. From the monthly payments described above, the Chapter 13 Trustee shall pay the following allowed claims in the manner and amounts specified. Claims filed by a creditor designated as secured or priority but which are found by the Court to be otherwise shall be treated as set forth in the Trustee's Recommendation Concerning Claims.

Case No: 10-10698  
Debtor(s): **Kenneth Dwayne Daniels**  
**Cindy Delene Daniels**

4. **Administrative Claims.** Trustee will pay in full allowed administrative claims and expenses pursuant to § 507(a)(2) as set forth below, unless the holder of such claim or expense has agreed to a different treatment of its claim.

(A). **Trustee's Fees.** Trustee shall receive a fee for each disbursement, the percentage of which is fixed by the United States Trustee.

(B). **Debtor's Attorney's Fees.** The total attorney fee as of the date of filing of the petition is \$3,000.00. The amount of \$2,025.00 was paid prior to the filing of the case. The balance of \$975.00 will be paid ☒ from first funds upon confirmation, or in the alternative ☐ from the remaining balance of funds available after specified monthly payments. The total attorney fees are subject to reduction by notice provided in the Trustee's Recommendation Concerning Claims to an amount consistent with LBR 2016(h) absent a certification from debtors attorney regarding legal services provided pertaining to automatic stay litigation occurring in the case.

5. **Priority Claims.**

(A). **Domestic Support Obligations.**

☒ None. If none, skip to Plan paragraph 5(B).

(i). Debtor is required to pay all post-petition domestic support obligations directly to the holder of the claim.

(ii). The name(s) and address(es) of the holder of any domestic support obligation are as follows. See 11 U.S.C. §§ 101(14A) and 1302(b)(6).

(iii). **Anticipated Domestic Support Obligation Arrearage Claims**

(a). Unless otherwise specified in this Plan, priority claims under 11 U.S.C. § 507(a)(1) will be paid in full pursuant to 11 U.S.C. § 1322(a)(2). These claims will be paid at the same time as claims secured by personal property, arrearage claims secured by real property, and arrearage claims for assumed leases or executory contracts.

☒ None; or

(a) Creditor (Name and Address)	(b) Estimated arrearage claim	(c) Projected monthly arrearage payment
---------------------------------------	-------------------------------------	---

(b). Pursuant to §§ 507(a)(1)(B) and 1322(a)(4), the following domestic support obligation claims are assigned to, owed to, or recoverable by a governmental unit.

☒ None; or

Claimant and proposed treatment:

(a) Claimant	(b) Proposed Treatment
-----------------	---------------------------

(B). **Other Priority Claims (e.g., tax claims).** These priority claims will be paid in full, but will not be funded until after all secured claims, lease arrearage claims, and domestic support claims are paid in full.

(a) Creditor	(b) Estimated claim
-----------------	------------------------

6. Secured Claims.

(A). Claims Secured by Personal Property Which Debtor Intends to Retain.

(i). **Pre-confirmation adequate protection payments.** Unless the Court orders otherwise, no later than 30 days after the date of the filing of this plan or the order for relief, whichever is earlier, the Debtor shall make the following adequate protection payments to creditors pursuant to § 1326(a)(1)(C). If the Debtor elects to make such adequate protection payments on allowed claims to the Trustee pending confirmation of the plan, the creditor shall have an administrative lien on such payment(s), subject to objection. If Debtor elects to make such adequate protection payments directly to the creditor, Debtor shall provide evidence of such payment to the Trustee, including the amount and date of the payment, as confirmation is prohibited without said proof.

Debtor shall make the following adequate protection payments:

- ☐ directly to the creditor; or  
☐ to the Trustee pending confirmation of the plan.

(a) Creditor	(b) Collateral	(c) Adequate protection payment amount
-----------------	-------------------	--

(ii). **Post confirmation payments.** Post-confirmation payments to creditors holding claims secured by personal property shall be paid as set forth in subparagraphs (a) and (b). If Debtor elects to propose a different method of payment, such provision is set forth in subparagraph (c).

(a). **Claims to Which § 506 Valuation is NOT Applicable.** Claims listed in this subsection consist of debts secured by a purchase money security interest in a vehicle for which the debt was incurred within 910 days of filing the bankruptcy petition, or, if the collateral for the debt is any other thing of value, the debt was incurred within 1 year of filing. See § 1325(a)(5). After confirmation of the plan, the Trustee will pay to the holder of each allowed secured claim the monthly payment in column (f) based upon the amount of the claim in column (d) with interest at the rate stated in column (e). Upon confirmation of the plan, the interest rate shown below or as modified will be binding unless a timely written objection to confirmation is filed and sustained by the Court. Payments distributed by the Trustee are subject to the availability of funds.

☒ None; or

(a) Creditor; and (b) Collateral	(c) Purchase date	(d) Estimated Claim	(e) Interest rate	(f) Monthly payment
---	-------------------------	---------------------------	-------------------------	---------------------------

(b). **Claims to Which § 506 Valuation is Applicable.** Claims listed in this subsection consist of any claims secured by personal property not described in Plan paragraph 6(A)(ii)(a). After confirmation of the plan, the Trustee will pay to the holder of each allowed secured claim the monthly payment in column (f) based upon the replacement value as stated in column (d) or the amount of the claim, whichever is less, with interest at the rate stated in column (e). The portion of any allowed claim that exceeds the value indicated below will be treated as an unsecured claim. Upon confirmation of the plan, the valuation and interest rate shown below or as modified will be binding unless a timely written objection to confirmation is filed and sustained by the Court. Payments distributed by the Trustee are subject to the availability of funds.

☐ None; or

(a) Creditor; and (b) Collateral	(c) Purchase date	(d) Replacement value	(e) Interest rate	(f) Monthly payment
---	-------------------------	-----------------------------	-------------------------	---------------------------

Case No: 10-10698  
Debtor(s): Kenneth Dwayne Daniels  
Cindy Delene Daniels

(a) Creditor; and (b) Nature of lease or executory contract	(c) Payment to be paid directly by Debtor	(d) Payment to be paid through plan by Trustee	(e) Projected arrears monthly payment through plan (for informational purposes)

9. **Property of the Estate.** Upon confirmation of this plan, title of the property of the estate shall vest in DEBTOR(S), unless the Court orders otherwise.

10. **Post-petition claims.** The DEBTOR(S) will not incur any post-petition consumer debt except upon written approval of the Court or the Standing Chapter 13 Trustee. Post-petition claims will be allowed only as specified in 11 U.S.C. § 1305.

11. **General Provisions.** Post-Petition earnings during the pendency of this case shall remain property of the estate notwithstanding section 1327. Any remaining funds held by the Trustee after dismissal or conversion of a confirmed plan may be distributed to creditors pursuant to these provisions. Notwithstanding section 1329(a), the Trustee may bring a motion anytime within the applicable commitment period of the Plan to modify debtor's Plan to meet the criteria of section 1325(b). Any funds sent to the debtor(s) in care of the Trustee, during the pendency of this case may be deposited to the debtor's account and disbursed to creditors holding allowed claims pursuant to this Plan, the Confirmation Order, and/or as set forth in the Trustee's Recommendation Concerning Claims.

12. **Other Provisions:**

(A). **Special classes of unsecured claims.**

Name of Unsecured Creditor	Remarks

(B). **Other direct payments to creditors.**

Name of Creditor	Remarks

Chase Home Finance, LLC

Ford Credit

(C). **Additional provisions.**

**Tax Refunds**

All future tax refunds Debtors receive during the term of the Chapter 13 Plan, starting with the tax refund, if any, to be received for the tax year 2010 shall be turned over to the Trustee within ten (10) days of receipt of such and shall be added to the base plan. Whether or not a tax refund is due, Debtors shall provide a copy of their tax return to the Trustee within ten (10) days of the filing such during the term of the plan.

**Trustee's Recommendations Concerning Claims:**

Notwithstanding any provision herein to the contrary, the deadline for the Trustee to file the Trustee's Recommendation Concerning Claims, as well as the deadline for filing objections to the Trustee's Recommendation Concerning Claims and objections to claims shall be governed by Local Bankruptcy Rule 3015(g).

**Fixed Monthly Payments:**

Notwithstanding any provision herein to the contrary, the monthly payment to a particular creditor as set forth herein in Paragraph 6 of the Plan shall constitute fixed monthly payments to that creditor as required under the provisions of 11 U.S.C. 1325(5)(B)(iii)(I), not an average monthly payment.

Case No: 10-10698

Debtor(s): Kenneth Dwayne Daniels  
Cindy Delene Daniels

**Replacement Value Not Set at Confirmation**

Notwithstanding any other provision herein, the value of the collateral as set forth in Paragraph 6(A)(ii)(b) of the Chapter 13 Plan is not determined upon the confirmation of the Plan. The value stated in this Plan represents a good faith estimate based on the Debtor's knowledge and belief. Such value is subject to modification by (1) the value stated in the particular creditor's proof of claim allowed under 11 U.S.C. § 502, (2) any agreement relating to the collateral's value attached to this confirmation order, (3) an order on the Debtor's objection to the particular creditor's claim, or (4) an order on any party's motion to value the particular collateral brought under 11 U.S.C. § 506 and Bankruptcy Rule 3012.

**Special Note:** This plan is intended as an exact copy of the recommended form prepared by the Standing Chapter 13 Trustees for this District, except as to any added paragraphs after paragraph 11 above. The Chapter 13 trustee shall be held harmless for any changes in this plan from the recommended form dated July 1, 2005.

Date:

1-10-2011

William W. Blynn, Debtor's Attorney

Kenneth Dwayne Daniels

Kenneth Dwayne Daniels, Debtor

Cindy Delene Daniels

Cindy Delene Daniels, Debtor

**UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF TEXAS  
BEAUMONT DIVISION**

IN RE:

Kenneth Dwayne Daniels

Cindy Delene Daniels

SSN(s): xxx-xx-3857, xxx-xx-7408

56 C.R. 3664

Splendora, TX 77372

CASE NO: 10-10698

Chapter 13

Debtor(s)

**ORDER CONFIRMING CHAPTER 13 PLAN AND RELATED ORDERS**

After notice and hearing, wherein the Court considered the matters on file herein, including the Trustee's Report of Creditors Meeting held pursuant to Section 341 of the Bankruptcy Code, and all objections to confirmation of the Plan, The Court finds:

1. Written notice of the Meeting of Creditors held pursuant to 11 U.S.C. § 341 and of this hearing on the confirmation of the Plan was given as required by Rule 2002; and
2. All scheduled creditors have been served with a copy of the Debtor's Plan or summary thereof in accordance with Rule 3015; and
3. The Plan as presented for confirmation (hereinafter referred to as "the Plan") complies with the provisions of Chapter 13 of Title 11 of the United States Code and the other applicable provisions of said Title; and
4. With respect to each allowed secured claim provided for by the Plan, the holder of such claim either accepted or was deemed to have accepted the Plan, or, in the alternative
  - a. The Plan provides that the holder of such claim retain the lien securing such claim; and
  - b. The value, as of the effective date of the Plan, of property to be distributed under the Plan on account of such claim is not less than the allowed amount of such claims; or
  - c. The Debtor has surrendered or abandoned the collateral securing such claim; or
  - d. The treatment of the claim complies with 11 U.S.C. § 1322(b)

**IT IS THEREFORE ORDERED THAT:**

1. The Debtor's Plan dated 1/10/2011 as filed or as amended is CONFIRMED subject to the allowance of claims herein and the Trustee's Recommendation Concerning Claims which shall be filed within 30 days of the latter of entry of this Order or the deadline for all creditors (including a government unit) to file a claim. With respect to all claims allowed or not yet allowed at the time of execution of this Order, said claims are subject to the Trustee's Recommendation Concerning Claims as follows:
  - I. (a). The Trustee, the Debtor, and the Debtor's attorney shall examine proofs of claim or summaries thereof and shall object to the allowance of improper claims as provided by Rule 3007.
  - (b). The Trustee shall file and serve all parties in interest with the Trustee's Recommendation Concerning Claims within thirty (30) days of the latter of entry of this Order or the claim filing deadline for all creditors (including a government unit). Such Trustee's Recommendation Concerning Claims shall include the Trustee's objections to claims, if any, recommendations as to the extent and validity of each creditor's security interest, if any, and recommendations as to the value of any collateral not previously valued by the Court. The Trustee's Recommendation Concerning Claims shall be deemed to be an objection to claims, a motion to value any such collateral, and an action to determine the validity of each creditor's security interest or an action to avoid any such security interest as set forth therein.
  - (c). Unless an objection or response is timely filed as to the treatment of any claim, the claim will be allowed only in the manner and amount listed in the Trustee's Recommendation Concerning Claims, and such treatment will be final and binding on all parties without further order of the Court.

- (d). Responses or objections to the Trustee's Recommendation Concerning Claims must be filed within twenty (20) days from the date of service of the Trustee's Recommendation Concerning Claims.
  - (e). The Trustee's Recommendation Concerning Claims shall additionally contain notice of the bar date for any additional objections to claims, which date is fixed at twenty (20) days following the date of service of the Trustee's Recommendation Concerning Claims.
- II. (a). The Chapter 13 Trustee shall review all claims and the feasibility of the Plan prior to filing the Trustee's Recommendation Concerning Claims. If at that time the Plan is no longer feasible, the Trustee shall notify the Debtor and his attorney, in writing, of the infeasibility of the Plan. If forty-five (45) days after the service of the Trustee's Recommendation Concerning Claims the Plan remains infeasible, the Trustee shall file a Motion to Modify the Plan and/or a Motion to Dismiss the case.
- (b). Further, if at any time during the term of the Chapter 13 case, a claim is allowed which makes the Plan infeasible, the Chapter 13 Trustee shall notify the Debtor and his attorney, in writing, of the infeasibility of the Plan. If the Plan remains infeasible for forty-five (45) days after such notice, the Trustee shall file a Motion to Modify the Plan and/or an alternative Motion to Dismiss the case.
- III. At the time of the issuance of an Order Confirming a Plan in this case, the time for filing claims in this case may not have expired. Consequently, the Court specifically reserves the right in the future to:
- (a). Alter or sustain an objection to the secured status of a claim filed as secured either before or after the entry of this Order Confirming Plan, and value the collateral securing any such claim to the extent not previously valued herein or otherwise by the Court;
  - (b). Enter a Final Order after notice and hearing on any responses or objections to the Trustee's Recommendation Concerning Claims, and on any additional objection(s) to claims timely filed by a party in interest;
  - (c). At any time during the pendency of this case, entertain a motion to alter or sustain an objection to the secured status of a claim filed as secured after the bar date for filing claims has expired, or to value the collateral securing any such claim to the extent not previously valued by the Court.
  - (d). Reduce, if necessary to ensure compliance with LBR 2016(h), the amount of attorney fees to the debtor's attorney due to the absence of a certification from debtors attorney regarding legal services provided pertaining to automatic stay litigation occurring in the case.
- IV. All creditors having allowed secured claims (whether filed before or after an Order Confirming Plan is entered) shall be treated in accordance with section 1325(a) (5), except as otherwise specifically set forth herein. The collateral securing creditor's claims provided for under the Debtor's Plan is hereby valued by the Court at the values set forth below.
- (a). When the value of the collateral securing a timely filed proof of claim of any taxing authority differs from the value shown on the Debtor's Plan, the Trustee will use the value shown on the creditor's proof of claim. All parties will be noticed of this valuation through the Trustee's Recommendation Concerning Claims and disputed valuations may be resolved by the Court, by agreement or objection.
  - (b). In those instances where no objection was filed to Confirmation of the Debtor's Plan contesting the Debtor's valuation of collateral securing a creditor's claim. The value of such collateral is fixed at the values provided in the Debtor's Plan.
  - (c). In those instances, if any, where an objection was filed to the treatment of a creditors claim, including the valuation of collateral as provided in the Debtor's Plan, the Court through this order hereby determines the treatment shall be as set forth in exhibit 'A' attached, if any.
  - (d). In the event a creditor timely files a proof of claim which evidences a perfected security interest in collateral which was not specified by the Plan and not previously valued by the Court, such collateral will be valued by the Court at the value set forth in the Trustee's Recommendation Concerning Claims to be filed herein, unless a response to such Trustee's Recommendation Concerning Claims is timely filed. Such Trustee's Recommendation Concerning Claims is to be filed and served within thirty (30) days of the latter of entry of this Order or the deadline for filing proofs of claims herein (including a government unit). Responses to such Trustee's Recommendation Concerning Claims must be filed within the time and in the manner provided in such Trustee's Recommendation Concerning Claims.

Case No: 10-10698

Debtor(s): **Kenneth Dwayne Daniels**  
**Cindy Delene Daniels**

- (e). The valuation of collateral by the Court as set forth above shall not relieve a secured creditor from the duty to file a proof of claim in order to be paid under the Plan. Further, such valuation shall not preclude any party from objecting to the amount claimed by any such creditor, or from bringing an action to determine the extent of validity of such creditor's security interest or to avoid any such security interest.

2. The Debtor(s) shall pay the sum of Variable\* per month for 60 payments together with any income Tax refunds that the debtor receives during the life of the plan for a total of \$27,220.00 to:

*\*If variable payments are indicated, see Exhibit "B" - Variable Plan Payments for the monthly amounts.*

**John J. Talton**  
**P.O. Box 734**  
**Tyler, Texas 75710**

Beginning 11/27/2010 and continuing until all of the allowed claims provided for under the Plan have been paid in accordance with the terms of the Plan, of this Order, or as set forth in the Trustee's Recommendation Concerning Claims.

3. The Trustee shall make disbursements pursuant to the provisions of the Plan, this Order, or as set forth in the Trustee's Recommendation Concerning Claims, Section 1326 of the Bankruptcy Code and shall pay only such claims which have been allowed by the Court. The Trustee shall make such disbursements monthly, unless otherwise provided for by the Plan, but shall not be required to pay any dividend in an amount less than \$15.00 and dividends not distributed because of this provision shall accumulate and be paid when such accumulation aggregates \$15.00 or more.

4. The Debtor(s) shall not incur additional debt during the term of this Plan except upon written approval of the Court or the Standing Chapter 13 Trustee. Failure to obtain such approval may cause the claim for such debt to be unallowable and non-dischargeable.

☒ Check this box if Additional Provisions are attached



### **Additional Provisions of the Plan**

#### **Tax Refunds**

All future tax refunds Debtors receive during the term of the Chapter 13 Plan, starting with the tax refund , if any , to be received for the tax year 2010 shall be turned over to the Trustee within ten (10) days of receipt af such and shall be added to the base plan. Whether or not a tax refund is due, Debtors shall provide a copy of their tax return to the Trustee within ten (10) days of the filing such during the term of the plan.

#### **Trustee's Recommendations Concerning Claims:**

Notwithstanding any provision herein to the contrary, the deadline for the Trustee to file the Trustee's Recommendation Concerning Claims, as well as the deadline for filing objections to the Trustee's Recommendation Concerning Claims and objections to claims shall be governed by Local Bankruptcy Rule 3015(g).

#### **Fixed Monthly Payments:**

Notwithstanding any provision herein to the contrary, the montly payment to a particular creditor as set forth herein in Paragraph 6 of the Plan shall constituted fixed montly payments to that creditor as required under the provisions of 11 U.S.C. 1325(5)(B)(iii)(I), not an average montly payment.

#### **Replacement Value Not Set at Confirmation**

Notwithstanding any other provision herein, the value of the collateral as set forth in Paragraph 6(A)(ii)(b) of the Chapter 13 Plan is not determined upon the confirmation of the Plan. The value stated in this Plan represents a good faith estimate based on the Debtor's knowledge and belief. Such value is subject to modification by (1) the value stated in the particular creditor's proof of claim allowed under 11 U.S.C. § 502, (2) any agreement relating to the collateral's value attached to this confirmation order, (3) an order on the Debtor's objection to the particular creditor's claim, or (4) an order on any party's motion to value the particular collateral brought under 11 U.S.C. § 506 and Bankruptcy Rule 3012.

**UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF TEXAS  
BEAUMONT DIVISION**

IN RE: **Kenneth Dwayne Daniels**  
**Cindy Delene Daniels**  
*Debtor(s)*

CASE NO **10-10698**

CHAPTER **13**

**EXHIBIT "B" - VARIABLE PLAN PAYMENTS**

**PROPOSED PLAN OF REPAYMENT (VARIABLE PAYMENTS INTO THE PLAN)**

<u>Month / Due Date</u>	<u>Payment</u>	<u>Month / Due Date</u>	<u>Payment</u>	<u>Month / Due Date</u>	<u>Payment</u>
1 11/27/2010	\$101.00	21 07/27/2012	\$630.00	41 03/27/2014	\$630.00
2 12/27/2010	\$101.00	22 08/27/2012	\$630.00	42 04/27/2014	\$630.00
3 01/27/2011	\$101.00	23 09/27/2012	\$630.00	43 05/27/2014	\$630.00
4 02/27/2011	\$101.00	24 10/27/2012	\$630.00	44 06/27/2014	\$630.00
5 03/27/2011	\$101.00	25 11/27/2012	\$630.00	45 07/27/2014	\$630.00
6 04/27/2011	\$101.00	26 12/27/2012	\$630.00	46 08/27/2014	\$630.00
7 05/27/2011	\$101.00	27 01/27/2013	\$630.00	47 09/27/2014	\$630.00
8 06/27/2011	\$101.00	28 02/27/2013	\$630.00	48 10/27/2014	\$630.00
9 07/27/2011	\$101.00	29 03/27/2013	\$630.00	49 11/27/2014	\$630.00
10 08/27/2011	\$101.00	30 04/27/2013	\$630.00	50 12/27/2014	\$630.00
11 09/27/2011	\$101.00	31 05/27/2013	\$630.00	51 01/27/2015	\$630.00
12 10/27/2011	\$101.00	32 06/27/2013	\$630.00	52 02/27/2015	\$630.00
13 11/27/2011	\$101.00	33 07/27/2013	\$630.00	53 03/27/2015	\$630.00
14 12/27/2011	\$101.00	34 08/27/2013	\$630.00	54 04/27/2015	\$630.00
15 01/27/2012	\$101.00	35 09/27/2013	\$630.00	55 05/27/2015	\$630.00
16 02/27/2012	\$101.00	36 10/27/2013	\$630.00	56 06/27/2015	\$630.00
17 03/27/2012	\$101.00	37 11/27/2013	\$630.00	57 07/27/2015	\$630.00
18 04/27/2012	\$101.00	38 12/27/2013	\$630.00	58 08/27/2015	\$630.00
19 05/27/2012	\$101.00	39 01/27/2014	\$630.00	59 09/27/2015	\$630.00
20 06/27/2012	\$101.00	40 02/27/2014	\$630.00	60 10/27/2015	\$630.00

**UNITED STATES BANKRUPTCY COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION**

**IN RE:**

Daniels, Kenneth Dwayne  
Daniels, Cindy Delene  
**DEBTOR(s)**

§ **CASE NO.10-10698**  
§  
§  
§ **CHAPTER 13**

**CERTIFICATE OF SERVICE**

I do hereby certify that a true and correct copy of the foregoing Amended Chapter 13 Plan with any attachments has been properly forwarded to all parties on the attached matrix by electronic means or first class mail on January 11, 2011.

**LAW OFFICE OF WILLIAM W. BIVIN**

/s/ William W. Bivin  
William W. Bivin – Attorney for Debtors

**TRUSTEE:**

John J. Talton  
Office of the Chapter 13 Trustee  
110 N. College Ave., 12th Floor  
Tyler, TX 75702

Label Matrix for local noticing  
0540-1  
Case 10-10698  
Eastern District of Texas  
Beaumont  
Fri Dec 17 14:58:03 CST 2010

Patti H. Bass  
Bass & Associates  
3936 E. Ft. Lowell Rd. Suite 200  
Tucson, AZ 85712-1083

Best Buy  
Attn: Bankruptcy Dept  
P.O. Box 15521  
Wilmington, DE 19850-5521

(p)COLLECT AMERICA LTD  
4340 S MONACO PKWY  
2ND FL  
DENVER CO 80237-3400

Capital One  
Bankruptcy Dept  
PO Box 30285  
Salt Lake City, UT 84130-0285

Chase Bank  
800 Brooksedge Blvd  
Westerville, OH 43081-2822

Cleveland Regional Medical Center  
Bankruptcy  
PO Box 3475  
Toledo, OH 43607-0475

Kenneth Dwayne Daniels  
56 C.R. 3664  
Splendora, TX 77372

Financial Corporation of America  
P. O. Box 203500  
Austin, TX 78720-3500

Ford Credit  
Bankruptcy Notices  
PO Box 54200  
Omaha, NE 68154-8000

American Infosource Lp As Agent for Wfnnb  
As Assignee of  
Chadwicks  
PO Box 248872  
Oklahoma City, OK 73124-8872

Bass & Associates  
3936 E. Fort Lowell Rd.  
Suite 200  
Tucson, AZ 85712-1083

William W. Bivin  
1422 A Stonehollow Drive  
Kingwood, TX 77339-2495

CW Accounting Services  
PO Box 1606  
Suwanee, GA 30024-0970

Capital One Auto Finance  
P. O. Box 260848  
Plano, TX 75026-0848

Chase Home Finance, LLC  
Attn: Bankruptcy Dept  
PO Box 24696  
Columbus, OH 43224-0696

Credit First National Association  
Po Box 818011  
Cleveland, OH 44181-8011

Direct TV  
Bankruptcy Dept  
PO Box 6550  
Greenwood Village, CO 80155-6550

Firestone - CFNA  
Bankruptcy Dept  
PO Box 81315  
Cleveland, OH 44181-0315

Ford Motor Credit Company LLC  
c/o R. Naylor  
4801 Woodway, Ste 420 West  
Houston, TX 77056-1884

Arrow Financial Services  
5996 W. Touhy Ave.  
Niles, IL 60714-4610

Beneficial Finances  
Attn: BANKRUPTCY NOTICES  
P. O. Box 8633  
Elmhurst, IL 60126-8633

(c)CAC FINANCIAL CORP.  
2601 NW EXPRESSWAY STE 1000E  
OKLAHOMA CITY OK 73112-7236

Capital Management Services, Inc.  
726 Exchange Street  
Suite 700  
Buffalo, NY 14210-1464

Care Credit/GEMB  
Bankruptcy Dept  
P. O. Box 981127  
El Paso, TX 79998-1127

Cleveland Emergency Group, PA  
PO Box 2568  
San Antonio, TX 78299-2568

Cindy Delene Daniels  
56 C.R. 3664  
Splendora, TX 77372

Direct TV  
Customer Service  
PO Box 6550  
Greenwood Village, CO 80155-6550

Fondren Orthopedic Group  
7401 S. Main  
Houston, TX 77030-4509

(p)FORD MOTOR CREDIT COMPANY  
PO BOX 6275  
DEARBORN MI 48121-6275

GE Money Bank  
PO Box 981127  
El Paso, TX 79998-1127

HSBC  
PO Box 80084  
Salinas, CA 93912-0084

Harvest Credit Management, VI, LLC  
1580 Lincoln Street  
Suite 600  
Denver, CO 80203-1508

Innovative Radiology, PC  
12951 South Freeway  
Houston, TX 77047-1923

KINGWOOD MEDICAL CENTER  
c/o B-Line, LLC  
MS 550  
PO Box 91121  
Seattle, WA 98111-9221

Lonestar Radiology  
800 Rockmead Drive  
Suite 210  
Kingwood, TX 77339-2113

Mann Bracken, LLC  
5215 North O'Connor Blvd  
Ste 1060  
Irving, TX 75039-3770

Medical Recovery Systems  
1113 Garredd Blvd  
Augusta, GA 30909-6674

Midland Funding, LLC  
8875 Aero Drive Suite 200  
San Diego, CA 92123-2255

North Houston Pathology Assoc.  
714 FM 1960 W #206  
Houston, Texas 77090-3408

GHA  
PO Box 540008  
Houston, TX 77254-0008

(p)HSBC BANK  
ATTN BANKRUPTCY DEPARTMENT  
PO BOX 5213  
CAROL STREAM IL 60197-5213

HealthSouth  
18550 IH 45 South  
Conroe, TX 77384-4119

(p)INTERNAL REVENUE SERVICE  
CENTRALIZED INSOLVENCY OPERATIONS  
PO BOX 21126  
PHILADELPHIA PA 19114-0326

Kingwood Medical Center  
Bankruptcy Dept  
8101 W. Sam Houston Pkwy So  
Suite #100  
Houston, TX 77072-5078

Lowe's Credit Dept  
c/o GEMB  
Bankruptcy Dept  
PO Box 103104  
Roswell, GA 30076-9104

Max Revenue Solutions  
7676 Hillmont #250  
Houston, TX 77040-6423

Midland Credit Management, Inc.  
Bankruptcy Notices  
PO Box 60578  
Los angeles, CA 90060-0578

NCO Financial Systems, Inc.  
PO Box 3002  
Phoenixville, PA 19460-3002

Orchard Bank/HSBC NV  
P.O. Box 80084  
Salinas, CA 93912-0084

HSBC  
1111 Town Center  
Las Vegas, NV 89144-6364

HSBC Bank Nevada, N.A.  
Bass & Associates, P.C.  
3936 E. Ft. Lowell Road, Suite #200  
Tucson, AZ 85712-1083

Home Depot Credit Services  
Customer Serv - Bankruptcy  
P.O. Box 653000  
Dallas, TX 75265-3000

Jefferson Capital Systems LLC  
PO BOX 7999  
SAINT CLOUD MN 56302-7999

Linebarger Goggan Blair & Sampson LLP  
PO Box 17307  
Austin, TX 78760-7307

MHHS Northeast Imaging  
Medical Plaza I  
18955 Memorial N., 1st Floor  
Humble, TX 77338-4271

Medical Center ER Physicians  
PO Box 4590 Dept 06  
Houston, TX 77210-4590

Midland Credit Management, Inc.  
Dept 12421  
PO Box 1259  
Oaks, PA 19456-1259

R. Christopher Naylor  
Devlin, Naylor & Turbyfill  
4801 Woodway, Suite 420 West  
Houston, TX 77056-1884

PRA Receivables Management, LLC  
As Agent Of Portfolio Recovery Assocs.  
POB 41067  
Norfolk VA 23541-1067

Professional Account Services, Inc.  
7100 Commerce Way, Suite 100  
Brentwood, TN 37027-6935

Professional Recovery Services Inc.  
P.O. Box 1880  
Voorhees, NJ 08043-7880

Providian  
Bankruptcy Dept  
P.O. Box 660509  
Dallas, TX 75266-0509

Roundup Funding, LLC  
MS 550  
PO Box 91121  
Seattle, WA 98111-9221

Singleton Associates, PA  
12951 South Freeway  
Houston, TX 77047-1923

Specialized Collection Sys, Inc.  
PO Box 441508  
Houston, TX 77244-1508

Spring Gastroenterology & Assoc  
25440 I-45 North  
Suite 200  
Spring, TX 77386

St. Luke's Episcopal Hosp.  
P. O. Box 20805  
Houston, TX 77297-0001

John Talton.  
Plaza Tower  
110 N. College Ave, 12 Floor  
Tyler, TX 75702-7226

U.S. Attorney General  
Department of Justice  
Main Justice Building  
10th & Constitution Ave., NW  
Washington, DC 20530-0001

US Trustee  
Office of the U.S. Trustee  
110 N. College Ave.  
Suite 300  
Tyler, TX 75702-7231

Verizon Wireless  
P. O. Box 105378  
Atlanta, GA 30348-5378

Verizon Wireless  
PO Box 26055  
Minneapolis, MN 55426-0055

WFNNB-Chadwicks  
Bankruptcy Dept  
PO Box 182125  
Columbus, OH 43218-2125

Wells Fargo Auto Finance  
Attn: Bankruptcy Dept  
P.O. Box 29704  
Phoenix, AZ 85038-9704

Wells Fargo Bank, N.A.  
13675 Technology Drive, Bldg. C, 2nd Fl  
Eden Prairie, MN 55344-5007

Wells Fargo Bank, N.A.  
Wells Fargo Auto Finance  
Attn: MAC S4015-01T  
PO Box 29706  
Phoenix, AZ 85038-9706

West Asset Mangement, Inc.  
2703 N. Highway 75  
Sherman, TX 75090-2567

The preferred mailing address (p) above has been substituted for the following entity/entities as so specified  
by said entity/entities in a Notice of Address filed pursuant to 11 U.S.C. 342(f) and Fed.R.Bank.P. 2002 (g) (4).

CACH, LLC  
370 17th Street  
Suite 5000  
Denver, CO 80202

Ford Motor Credit Company LLC  
Drawer 55-953  
P.O. Box 55000  
Detroit, MI 48255

HSBC  
PO Box 98706  
Las Vegas, NV 89138

Internal Revenue Service  
Insolvency Department  
P.O. Box 21126  
Philadelphia, PA 19114

Addresses marked (c) above for the following entity/entities were corrected  
as required by the USPS Locatable Address Conversion System (LACS).

CAC Financial Corp.  
2601 NW Expressway, Suite 1000 E  
Oklahoma City, OK 73112-7236

The following recipients may be/have been bypassed for notice due to an undeliverable (u) or duplicate (d) address.

(d)William W. Bivin  
1422 A Stonehollow Drive  
Kingwood, TX 77339-2495

End of Label Matrix	
Mailable recipients	77
Bypassed recipients	1
Total	78